



U.S. Department of Justice

*United States Attorney
Eastern District of New York*

DR/SKW/JKW
F. #2021R00923

271 Cadman Plaza East
Brooklyn, New York 11201

April 29, 2025

By ECF

The Honorable Eric R. Komitee
United States District Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: United States v. John Karony
Criminal Docket No. 23-433 (EK)

Dear Judge Komitee:

The government writes in response to the defendant John Karony's April 28, 2025 letter regarding the government's rebuttal expert report. On April 28, 2025, pursuant to the Court's directive that the parties exchange 3500 material,¹ the government produced a draft rebuttal report prepared by Professor John M. Griffin concerning price causation. In light of the Court's order precluding the defendant's expert from testifying about price causation, the government does not intend to call Professor Griffin as a rebuttal witness. Notwithstanding, because the draft rebuttal report includes Professor Griffin's statements on topics relevant to this case, the government produced the report in an abundance of caution as 3500 material. Accordingly, the government's production of this material is not a basis for the Court to adjourn the trial in this case.

Respectfully submitted,

JOHN J. DURHAM
United States Attorney

By: /s/
Dana Rehnquist
Sara K. Winik
Jessica K. Weigel
Assistant United States Attorneys

cc: Nicholas D. Smith (by ECF)

¹ To date, the government has not received any 3500 material from the defendant for its anticipated witnesses.